

104TH CONGRESS
1ST SESSION

H. R. 2088

To amend title 23, United States Code, relating to the sale of alcoholic beverages to persons who are less than 21 years of age.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 1995

Mr. STOCKMAN introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, relating to the sale of alcoholic beverages to persons who are less than 21 years of age.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 158 of title 23, United States Code, is
4 amended—

5 (1) in subsections (b)(1)(A), (b)(1)(B), and
6 (b)(2) by striking “under this section” and inserting
7 “pursuant to subsection (a)”;

8 (2) by redesignating subsection (c) as sub-
9 section (e); and

1 (3) by inserting after subsection (b) the follow-
2 ing new subsections:

3 “(c) WITHHOLDING OF FUNDS FOR NONCOMPLI-
4 ANCE WITH RESPECT TO SALE OF ALCOHOLIC BEV-
5 ERAGES.—

6 “(1) FIRST YEAR.—The Secretary shall with-
7 hold 5 percent of the amount required to be appor-
8 tioned to any State under each of sections
9 104(b)(1), 104(b)(3), and 104(b)(5) of this title on
10 the first day of the fiscal year succeeding the first
11 fiscal year beginning after September 30, 1998, in
12 which the sale in such State of any alcoholic bev-
13 erage to a person who is less than 21 years of age
14 is lawful.

15 “(2) AFTER THE FIRST YEAR.—The Secretary
16 shall withhold 10 percent of the amount required to
17 be apportioned to any State under each of sections
18 104(b)(1), 104(b)(3), and 104(b)(5) of this title on
19 the first day of each fiscal year after the second fis-
20 cal year beginning after September 30, 1997, in
21 which the sale in such State of any alcoholic bev-
22 erage to a person who is less than 21 years of age
23 is lawful.

24 “(d) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-
25 ANCE AND NONCOMPLIANCE.—

1 “(1) PERIOD OF AVAILABILITY OF WITHHELD
2 FUNDS.—

3 “(A) FUNDS WITHHELD ON OR BEFORE
4 SEPTEMBER 30, 2000.—Any funds withheld pur-
5 suant to subsection (c) from apportionment to
6 any State on or before September 30, 2000,
7 shall remain available for apportionment to
8 such State until the end of the 3rd fiscal year
9 following the fiscal year for which such funds
10 are authorized to be appropriated.

11 “(B) FUNDS WITHHELD AFTER SEPTEMBER
12 30, 2000.—No funds withheld pursuant to
13 subsection (c) from apportionment to any State
14 after September 30, 2000, shall be available for
15 apportionment to such State.

16 “(2) APPORTIONMENT OF WITHHELD FUNDS
17 AFTER COMPLIANCE.—If, before the last day of the
18 period for which funds withheld pursuant to sub-
19 section (c) from apportionment are to remain avail-
20 able for apportionment to a State under paragraph
21 (1)(A), the State makes effective a law which is in
22 compliance with subsection (c), the Secretary shall
23 on the day following the effective date of such law
24 apportion to such State the withheld funds remain-
25 ing available for apportionment to such State.

1 “(3) PERIOD OF AVAILABILITY OF SUBSE-
2 QUENTLY APPORTIONED FUNDS.—Any funds appor-
3 tioned pursuant to paragraph (2) shall remain avail-
4 able for expenditure until the end of the 3rd fiscal
5 year succeeding the fiscal year in which such funds
6 are so apportioned. Sums not obligated at the end
7 of such period shall lapse or, in the case of funds
8 apportioned under section 104(b)(5) of this title,
9 shall lapse and be made available by the Secretary
10 for projects in accordance with section 118(c)(2) of
11 this title.

12 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
13 end of the period for which funds withheld under
14 this section from apportionment are available for ap-
15 portionment to a State under paragraph (1), the
16 State has not made effective a law which is in com-
17 pliance with subsection (a), such funds shall lapse
18 or, in the case of funds withheld from apportionment
19 under section 104(b)(5) of this title, such funds
20 shall lapse and be made available by the Secretary
21 for projects in accordance with section 118(c)(2) of
22 this title.”.

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